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**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FLATWORLD INTERACTIVES LLC

Case No. 3:12-01956-JSW (EDL)

Plaintiff,

DECLARATION OF MICHAEL J. OSSIP

v.

APPLE INC.

Defendant.

I, Michael J. Ossip, declare and state as follows:

1. I am the General Counsel of the law firm Morgan Lewis & Bockius ("MLB"). I have been the General Counsel of MLB since October 1, 2012. The matters referred to in this declaration are based on personal knowledge and if called as a witness I could, and would, testify competently to these matters.

2. On February 26, 2013, I learned that MLB client Apple, Inc. ("Apple") had raised in a communication with MLB partner Scott Garner a concern with MLB due to the appearance of John McAleese III on the privilege log provided by FlatWorld Interactives LLC ("FlatWorld") in connection with the case captioned above.

3. Mr. McAleese learned of this communication on February 26, 2013 from MLB partner Scott Garner.

4. On or about March 22, 2013, at the request of Apple, I spoke with Mr. McAleese regarding whether he had any communications with a representative of FlatWorld or its counsel between February 25 and 27, 2013.

5. At that time, Mr. McAleese told me that after he became aware of Apple's concerns about the privilege log, he spoke with his wife and told her that Apple had raised with MLB a major

1 concern about the privilege log submitted by FlatWorld.

2 6. Mr. McAleese also told me that during this period of time, he spoke with Mark
3 Carlson of the law firm Hagens Berman Sobol & Shapiro ("HBSS") and told him he had learned that
4 the privilege log submitted by FlatWorld indicated that communications between him and his wife
5 were covered by the attorney-client privilege. Mr. McAleese also told me that he told Mr. Carlson
6 that he had not been acting as an attorney in his communications with his wife.

7 7. Mr. McAleese told me that Mr. Carlson told him that he (Mr. Carlson) could see how
8 the privilege log could be misinterpreted and that he would prepare an amended privilege log.
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10 Executed on April 17, 2013 at Palo Alto, California.

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14 Michael J. Ossip
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